

**Planning, Transport & Sustainability Division  
 Planning and Rights of Way Panel (EAST) 7 April 2015  
 Planning Application Report of the Planning and Development Manager**

<b>Application address:</b> 71 Archery Grove, Southampton			
<b>Proposed development:</b> Erection of a two-storey side extension to create two x two-bed flats with associated parking and cycle/refuse storage and retain existing dwelling			
<b>Application number</b>	15/00070/FUL	<b>Application type</b>	FUL
<b>Case officer</b>	Anna Lee	<b>Public speaking time</b>	5 minutes
<b>Last date for determination:</b>	16.03.2015	<b>Ward</b>	Woolston
<b>Reason for Panel Referral:</b>	Request by Ward Member and five or more letters of objection have been received	<b>Ward Councillors</b>	Cllr Chamberlain Cllr Hammond Cllr Payne
<b>Called in by:</b>	Cllr Payne	<b>Reason:</b>	Detrimental impact on character of the area and residential amenities and insufficient parking

<b>Applicant:</b> Kevin And Mark Shepherd	<b>Agent:</b> Mr Gordon Rogers
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<b>Recommendation Summary</b>	<b>Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report</b>
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<b>Community Infrastructure Levy Liable</b>	Yes
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**Reason for granting Permission**

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The development is considered to satisfactorily address the previous reasons for refusal for the reasons given in the report to the Planning and Rights of Way Panel on 7<sup>th</sup> April 2015. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SPD 4, SDP5, SDP7, SDP9, SDP13, SDP22, H1, H2 and H7 of the City of Southampton Local Plan Review (March 2006) and CS4, CS5, CS13, CS16, CS18, CS19, CS20 and CS25 of the Local Development Framework Core Strategy Development Plan Document (January 2010) as supported by the adopted Residential Design Guide SPD (2006).

<b>Appendix attached</b>			
1	Development Plan Policies	2	Planning History

## **Recommendation in Full**

Delegate to Planning and Development Manager to grant full planning permission subject to the submission of mitigation or compliance with the Solent Disturbance Mitigation Project (SDMP) (£172 per dwelling), which seeks to ensure that additional residential development does not harm existing habitat within existing Special Protection Areas as protected by the Habitats Regulations. In the event that the SDMP is not resolved within one month of the Panel resolution the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Habitats Regulations.

### **1.0 The site and its context**

- 1.1 The application site comprises a detached, two-storey dwelling house located at the corner of Archery Grove within a residential area. The house has a hipped roof design and double-storey height bay to the front elevation. The property is fairly typical of the surrounding area which is suburban in character. There is a change in levels across the site, with the land sloping upwards from south to north. The vehicular access for the existing property lies on side adjacent to St Anne's Road. This access will remain to serve the development.

### **2.0 Proposal**

- 2.1 Planning permission is sought to extend the existing dwelling and create an addition 2 flats. A similar proposal was refused at Planning Panel, following a favourable recommendation from officers, on 14<sup>th</sup> January 2014 for the following reason:

*REFUSAL REASON - Residential environment*

*The proposed extension to provide two additional residential units by reason of its physical appearance in terms of its bulk, mass and footprint results in an overdevelopment of the site that is harmful to the general character of the area due to its prominence in the street scene. Furthermore, the subdivision of the plot to provide additional units fails to provide sufficient, usable and adequate amenity space for the existing 3 bed family unit on site. As such the proposal creates an unacceptable residential environment contrary to Policies CS13 and CS16 of the Southampton Core Strategy (2010), SDP1 (Saved Policy) of the Southampton Local Plan Review (2006) and Section 2 and Section 4.4 of the Council's 'Residential Design Guide' Supplementary Planning Document (2006).*

- 2.2 The previous application sought to provide two x.2 bed units within a two storey side extension whilst retaining the existing 3 bed dwelling.

2.3 The current application seeks to address the previous refusal reason and avoid an appeal, and again seeks to enable the property to be extended to the side and rear at two-storey and single-storey level to provide 2 x 2 bedroom flats whilst retaining the existing family dwelling house. Three car parking spaces serving all three units and a shared garden area for the two flats has been proposed to the rear. The existing dwelling house has a separate private garden area.

2.4 The scheme has been modified following the previous refusal in the following ways:

- The ridge height of the rear part of the extension has been reduced in height. It is now lower than the highest part of the existing dwelling as it has been reduced in height by 0.8m;
- The extension has been set back within the site and the depth has been reduced from 14.44m to 14m;
- The car parking layout has been reconfigured to allow for additional garden area for the existing property. The resulting garden area is now 70sq.m thereby retaining a genuine family dwelling.

The internal layout in terms of room configuration remains the same but the changes proposed need to be assessed against the previous reason for refusal (as set out above). This reason should focus the attention of the Panel and it is not good practice to introduce additional reasons for refusal should the Panel disagree that the changes go far enough.

### **3.0 Relevant Planning Policy**

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

### **4.0 Relevant Planning History**

4.1 In 2004 the Local Planning Authority approved a two-storey front extension to the property (our reference 04/01726/FUL) and this permission has been implemented.

4.2 In 2007/08 there were two applications refused (07/01324/FUL and 07/02054/FUL) seeking to extend the property to provide four, two-bedroom flats. The reasons for refusal mainly related to the massing and appearance of the extensions, together with the amount of amenity space and the impact on highway safety and are set out in full at **Appendix 2**.

4.3 As set out above a similar application 13/01723/FUL was refused at Panel on 14<sup>th</sup> January 2014.

## **5.0 Consultation Responses and Notification Representations**

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (03.02.2015). At the time of writing the report **125 objections** have been received from surrounding residents. The following is a summary of the points raised:

### **5.2 Increased parking pressure and decreased highways safety**

#### **Response**

Having considered both parking pressure surveys (undertaken at 4:45am on 15<sup>th</sup> and 16<sup>th</sup> December 2014 where capacity was reported) and highways safety implications the Highways Officer does not oppose the development. It is noteworthy that the Council currently have maximum parking standards. The move towards encouraging alternative modes of transport and less reliance on private motor vehicles in areas where alternative means of transport and other services are available is enshrined by both local and national policies. The Council's Parking Standards and relevant policies will be taken into account when assessing the application and the provision of 1 space per dwelling is acceptable in this location.

### **5.3 Too many flats in the area and impact on property value**

#### **Response**

This is not a material planning consideration. Market forces dictate demand for accommodation type. A mix of unit types assists in creating 'mixed and balanced' communities. An existing family dwelling is retained as part of these proposals.

### **5.4 Additional noise/antisocial behaviour.**

#### **Response**

The Council must assess whether or not the additional units alone will lead to disturbance and nuisance, sufficient to substantiate a refusal. No evidence has been provided to suggest that these 2 flats will be particularly disruptive and the planning system plans for reasonable behaviour. Furthermore there are other statutory powers more suited to the control of noise and anti-social behaviour.

### **5.5 Development sets a precedent.**

#### **Response**

There would be no precedent set. Each proposal would need to accord with relevant policies in order to gain the support of the Local Planning Authority. Each application is judged on its own merits.

### **5.6 Increased refuse generation.**

#### **Response**

Refuse storage can be achieved on site. Sufficient bins and storage can be provided and a planning condition is recommended.

### **5.7 Poor Design and out of character with 1930's style of housing**

#### **Response**

The external design accords with the Residential Design Guide and internally the

accommodation provided will produce an acceptable living environment. See paragraph 6.4 of this report for further justification.

**5.8 Overdevelopment in size and mass.**

Response

The scheme has been reduced in depth and height. See the Planning Considerations section of this report for further justification.

**5.9 Overlooking and overshadowing of neighbouring accommodation.**

Response: See the Planning Considerations section of this report for further justification and explanation of the issues associated with residential amenity.

**5.10 Concerns over the congestion and disturbance during the construction phase**

Response

A condition detailing the location of storage and equipment during construction is suggested to address these concerns. An hours of work condition is also recommended.

**5.11 Concerns over surface water runoff and drainage issues**

Response:

See Southern Water's response below where no objection is raised.

**Consultation Responses**

**SCC Highways – No objection.**

Although the proposed development will introduce an additional one or two vehicles, the access overall is an improvement in terms of safety where sightlines are now provided. On-site turning facilities which allow vehicles to enter and leave in a forward gear are provided. In order to secure this a tracking diagram to ensure that all vehicles can turn on site is required via condition. The turning area must be kept clear at all times for the duration of this development. A condition requiring cycle and refuse storage is required prior to occupation.

**SCC Sustainability Team – No objection.**

Conditions are recommended to ensure that the development achieves level 4 of the Code for Sustainable Homes in accordance with policy CS20 of the Local Development Framework Core Strategy.

**Southern Water – No objection.**

An application will be needed to connect to the public sewer system. No objection raised.

**6.0 Planning Consideration Key Issues**

6.1 The key issues for consideration in the determination of this planning application are:

- The principle of this form of development/ previous reasons for refusal
- Impact on amenities of occupiers of neighbouring properties
- The impact on the character of the property and of the area
- Quality of the living environment created
- Access and car parking

- CIL and Mitigation (sustainability and Solent Disturbance Mitigation Project)

## 6.2 Principle of Development

The principle of development is acceptable as it provides residential accommodation and retains a family unit on site in line with the provisions of policy CS16 of the Core Strategy and provides a suitable mix of units to meet the Council's housing need. The application also assists the Council in meeting its current housing need of 16,300 homes by 2026.

6.2.1 The site lies in a sustainable location and is very convenient for buses and trains and is approximately 15 minutes walk to Woolston District Centre. The surrounding area is predominantly residential and characterised by two storey dwelling houses.

6.2.2 The previous scheme was refused for overdevelopment in terms of scale, bulk, footprint and that the development was out of character. In addition, a lack of amenity space for the existing space was included as part of the reason. This scheme has been reduced in depth by 440mm to 14m deep. The ridge height of the rear part of the proposed extension has been reduced in height by 0.8m and 70 sq.m is now provided for the existing dwelling which is what is required within the Councils Residential Design Guide (Supplementary Planning Document). A density of 60dph is again proposed which is compliant with Policy CS5. It is considered that the previous reason for refusal has been addressed.

## 6.3 Impact on amenities of occupiers of neighbouring properties

All development has an impact on its neighbours; however, the residential amenities of nearby residents will not be adversely harmed by this development. The proposed development will not give rise to a harmful sense of enclosure, loss of light, shadowing or overlooking / loss of privacy, having regard to the separation distance and the orientation of the proposed dwellings in relation to neighbouring properties. Approximately 14.5m lies between the rear of the extension and the side elevation of 2a St Anne's Road. The proposal lies on a corner and therefore complies with privacy distances both to the rear and to the side. There are no additional windows on the side adjacent to the existing dwelling.

6.3.1 The rear element does protrude further than the existing dwelling and therefore the proposal will have an impact on this property in terms of light received and overshadowing. However, due to the set back and reduction to single storey for part of it, it is felt the proposal would not be significantly harmful enough to warrant a reason for refusal as it will only have an impact on a small piece of the garden during part of the year (mainly winter). The proposal is not judged to be overbearing or dominant when viewed from the adjacent property or garden. With respect to adjacent properties due to the distance and its orientation the proposal will not harmfully impact these properties.

6.3.2 It is considered that the extension is unlikely to result in any harmful overlooking of neighbouring properties or result in adverse shading or outlook issues. The extension therefore complies with the standards as set out in the Council's Residential Design Guide (Supplementary Planning Document). It is important to note that the earlier (larger) scheme was not refused on these terms and it would be unreasonable to suggest that a lesser scheme is now harmful. As such the

proposal accords with 'saved' local plan policy SDP1(i).

6.4 The impact on the character of the property and of the area.

The proposal is located on a prominent corner site which requires a bespoke design solution. The proposal has been designed in a manner to address the corner by articulating the building. There is still sufficient space proposed around the site in terms of setting adjacent to Archery Grove. The remaining space between the proposed elevation and the footpath varies from 1.5m to 4m in comparison with 4.5m to 7.5m on the opposite corner at number 79 Archery Grove. Although the remaining space is less, the vegetation at 79 Archery Grove conceals this area and as such the sense of space is not visually apparent.

6.4.1 The site coverage of 65% hardstanding and buildings does not result in an over development of the site as there is still a setting, and adequate amenity space is provided for all units. It is noted that there is an increase in the number of units on site and the density is higher than the adjacent dwelling units. However, policy CS5 of the Core Strategy states that in this area the density of development should range from 50-100 dwellings per hectare and this proposal provides 60 dwelling per hectares therefore complying with policy.

6.4.2 In terms of the design, it is considered that the scale and massing of the proposed extension will not be out keeping with the appearance and character of the property. The depth and height of the proposal has been reduced by setting the extension back by nearly half a metre. The height of the proposal is reduced by 0.8m, which results in a part two storey flat roof element. This is located to the rear between the existing property and the extension, but it is hidden from the wider street scene.

6.4.3 The design is sympathetic as it picks up design elements of the existing dwelling and the other dwellings in the locality. The extension is hipped and is designed to be subservient to the existing dwelling. The design is similar to that of no 79 Archery Grove across the road in terms of the set back and the insertion of a single storey element. The external appearance proposed is akin to properties within the street scene as render and brick elements are proposed. The impact on the character of the area is deemed acceptable as all the dwellings, although similar in design, are not uniform.

6.5 Quality of the living environment created.

All new residential development is expected to provide prospective residents with a good living environment. The internal layout is compatible with modern living standards. All habitable rooms will receive acceptable outlook, ventilation and day lighting. The proposed habitable accommodation would have an acceptable level of outlook and are both dual aspect. Entrances to the building appear generally well-surveilled.

6.5.1 Each unit has a separate kitchen which is the main entrance point of the units to the rear and a lounge on the side elevation as well as two bedrooms (to the front and side). Both units are accessed to the rear via separate entrances; the first floor flat is accessed via a staircase within a single storey extension that provides the physical separation between the two patio areas to enable privacy. The ground floor is served via the rear elevation. There are no issues of loss of privacy as none of the units have views into the others accommodation.

6.5.2 The retained amenity space for the existing dwelling (70 square metres) would be acceptable in terms of the amount and the quality of space. The amount of amenity space proposed to serve the flats would be in excess of 45 square metres for the two units (which exceeds our minimum standard of 20 square metres per flat). Each dwelling has secure refuse and cycle storage either attached to the dwelling or within the rear garden area. The living environment provided by this proposal is deemed appropriate for this type of development.

#### 6.6 Access and Car parking

Parking provision is provided in accordance with the adopted Parking Standards SPD. One car parking space is proposed for the units, which is deemed acceptable. The layout has been amended to address issues of sight lines and to provide sufficient car parking spaces for the three units. The access is retained and enhanced and Highway Officers are satisfied that there are no issues of highway safety.

6.6.1 Although, sufficient car parking has been provided on site the applicant has submitted a car parking survey that indicates that there are car parking spaces available on the street. The survey was undertaken over two early mornings (4.45am) on Monday and Tuesday in December 2014 and the results show spaces available in the surrounding area. Parking overspill and insufficient parking did not form part of the previous reason for refusal for a similar scheme (for 3 units) and should not be introduced at this stage of the process.

#### 6.7 CIL and Mitigation (sustainability and Solent disturbance mitigation project )

This development is CIL liable. As it creates additional residential units a charge of £70/sq.m will be levied.

6.7.1 The development will be required to meet Level 4 of the Code for Sustainable Homes.

6.7.2 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £172 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. Providing a contribution is secured this application will comply with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

## 7.0 Summary



7.1 The principle of using an extension to provide housing on this site is accepted as it contributes towards the housing need whilst meeting the previous reason for refusal. It retains a family dwelling house and provides two smaller units, and is acceptable in parking and highways terms. The impact on neighbouring dwellings has been mitigated through the layout and proposed scale of dwellings. As such an appropriate residential environment is proposed and the previous reason for refusal is considered to have been addressed.

## **8.0 Conclusion**

8.1 In conclusion, the proposal accords with the Development Plan and would therefore have an acceptable impact. As such the proposal is recommended for conditional approval following the provision of mitigation through the SDMP.

### **Local Government (Access to Information) Act 1985**

#### **Documents used in the preparation of this report Background Papers**

1(a), (b), (c), (d), 2 (b), (d), 4 (f), 6 (c), 7 (a), 9 (a), (b).

#### **ARL for 07/04/2015 PROW Panel**

### **PLANNING CONDITIONS**

#### **CONDITIONS for 15/00070/FUL**

##### **01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works**

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

##### **REASON:**

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

##### **02. APPROVAL CONDITION - Materials to match [Performance Condition]**

The materials and finishes to be used for the external walls, windows (including recesses), drainage goods and roof in the construction of the building hereby permitted shall match in all respects the type, size, colour, texture, form, composition, manufacture and finish of those on the existing building.

##### **REASON:**

To enable the Local Planning Authority to control the development in detail in the interest of the visual amenities of the locality and to endeavour to achieve a building of high visual quality and satisfactory visual relationship of the new development to the existing.

##### **03. APPROVAL CONDITION - No other windows or doors other than approved [Performance Condition]**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings including roof windows or dormer windows other than those expressly authorised by this permission shall be inserted in the development hereby permitted without the prior written consent of the Local Planning Authority.

##### **REASON:**

To protect the amenities of the adjoining residential properties.

**04. APPROVAL CONDITION - Residential - Permitted Development Restriction [Performance Condition]**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,  
Class B (roof alteration),  
Class C (other alteration to the roof),  
Class E (curtilage structures), including a garage, shed, greenhouse, etc.,  
Class F (hard surface area)

**REASON:**

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the comprehensive development and visual amenities of the area.

**05. APPROVAL CONDITION - Boundary fence [Pre-Occupation Condition]**

Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of any of the units provided under this permission and such boundary treatment shall thereafter be retained and maintained to the boundaries of the site.

**REASON:**

In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property.

**06. APPROVAL CONDITION - On-site turning [Pre-commencement Condition]**

Prior to commencement of development a revised parking plan providing a tracking diagram demonstrating that vehicles can turn on-site shall be submitted to and be agreed in writing by the Local Planning Authority. The turning area must be kept clear at all times for the duration of this development. The approved scheme shall be implemented and retained unless other agreed in writing by the Local Planning Authority.

**REASON:**

In the interests of highway safety.

**07. APPROVAL CONDITION - Car parking layout [Pre-occupation Condition]**

Prior to the units hereby approved being occupied the car parking spaces set out on drawing MT/ARCHERY/1/E shall be laid out and clearly marked in order to allocate the units on a 1:1 basis. The parking layout, sightlines and allocation of spaces on a 1:1 basis shall be retained and unaltered unless agreed in writing by the local planning Authority.

**REASON:**

In the interests of highway safety

**08. APPROVAL CONDITION Cycle storage (Pre-commencement Condition)**

Notwithstanding the information already submitted no development shall commence until plans and elevational details of the secure, covered cycle storage for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided prior to the first occupation of the dwellings hereby approved and thereafter retained for that purpose at all times.

**REASON:**

To ensure an appropriate provision of cycle storage is made for future occupants of the site in accordance with saved policy SDP5 of the adopted Local Plan.

**09. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]**

Before the building is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential purposes.

**REASON:**

In the interests of highway safety

**10. APPROVAL CONDITION - Material Storage (Pre-Commencement Condition)**

No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway.

**REASON:**

To avoid undue congestion on the site and consequent obstruction to access.

**11. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]**

The external amenity space serving the development hereby approved, and pedestrian access to it, shall be made available as a communal area prior to the first occupation of the development hereby permitted and shall be retained with access to it at all times for the use of the flat units.

**REASON:**

To ensure the provision of adequate amenity space in association with the approved flats.

**12. APPROVAL CONDITION - Code for Sustainable Homes [Pre-Commencement Condition]**

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum Level 4 of the Code for Sustainable Homes in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

**REASON:**

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

**13. APPROVAL CONDITION - Code for Sustainable Homes [Performance Condition]**

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Level 4 of the Code for Sustainable Homes in the form of post construction assessment and certificate as issued by a legitimate Code for Sustainable Homes certification body, shall be submitted to the Local Planning Authority for its approval.

**REASON:**

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

**14. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]**

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

**REASON:**

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

**15. APPROVAL CONDITION - Use of uncontaminated soils and fill [Performance Condition]**

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

**REASON:**

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

**16. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]**

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday                      08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays                                09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:**

To protect the amenities of the occupiers of existing nearby residential properties.

### **17. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]**

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

#### **REASON:**

In the interests of highway safety.

### **18. APPROVAL CONDITION - Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

#### **REASON:**

For the avoidance of doubt and in the interests of proper planning.

### **Note to Applicant - Community Infrastructure Liability (Approval)**

You are advised that the development appears liable to pay the Community Infrastructure Levy (CIL). Please ensure that you assume CIL liability prior to the commencement of the development (including any demolition works) otherwise a number of consequences could arise. For further information please refer to the CIL pages on the Council's website at: <http://www.southampton.gov.uk/s-environment/policy/community-infrastructure-levy-guidance.aspx> or contact the Council's CIL Officer.

### **Note to Applicant - Pre-Commencement Conditions**

Your attention is drawn to the pre-commencement conditions above which require the full terms of the condition to be satisfied before development commences. In order to discharge these conditions you are advised that a formal application for condition discharge is required. You should allow approximately 8 weeks, following validation, for a decision to be made on such an application. If the Decision Notice includes a contaminated land condition you should contact the Council's Environmental Health Department, and allow sufficient time in the process to resolve any issues prior to the commencement of development. It is important that you note that if development commences without the conditions having been formally discharged by the Council in writing, any development taking place will be unauthorised in planning terms and this may invalidate the Planning Permission issued. Furthermore this may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council's Development Management Service.

### **Note to Applicant - Performance Conditions**

Your attention is drawn to the performance conditions above which relate to the development approved in perpetuity. Such conditions are designed to run for the whole life of the development and are therefore not suitable to be sought for discharge. If you are in any doubt please contact the Council's Development Control Service.

### **Note to Applicant – Public sewerage system**

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House,

Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

**POLICY CONTEXT**

**Core Strategy - (January 2010)**

**POLICY CONTEXT**

CS4	Housing Delivery
CS5	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change

**City of Southampton Local Plan Review – (March 2006)**

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP13	Resource Conservation
SDP22	Contaminated Land
H1	Housing Supply
H2	Previously Developed Land
H7	The Residential Environment

**Supplementary Planning Guidance**

Residential Design Guide (Approved - September 2006)  
Parking Standards SPD (September 2011)

**Other Relevant Guidance**

The National Planning Policy Framework 2012  
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

**Supplementary Planning Guidance**

Residential Design Guide (Approved - September 2006)  
Planning Obligations (Adopted - September 2013)  
Parking Standards SPD (September 2011)

**Other Relevant Guidance**

The National Planning Policy Framework (2012)  
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

**Relevant Planning History**

03/00556/FUL

Conservatory to side elevation conditionally approved 22.05.2003

04/01726/FUL

Erection of a two storey front extension. Conditionally approved 22.12.2004

07/01324/FUL

Two storey side extension to facilitate conversion of dwelling into 4 x2 bed flats with associated car parking, bin and cycle storage. Refused 23.10.2007

07/02054/FUL

Two storey side and rear extension to facilitate conversion of dwelling into 4x two bed flats with associated car parking, bin and cycle storage (resubmission). Refused 14.02.2008

Reasons for refusal 07/02054/FUL

**1. Overdevelopment/loss of space**

The proposed development would result in an overdevelopment of the site due to the excessive footprint of the proposed extension and its projection towards Archery Grove. Its excessive footprint, together with its overall scale, bulk and massing results in a loss of space between the building and the highway at Archery Grove resulting in a building which has a significantly greater visual impact in the street scene than at present and erodes the spatial characteristics of the area. This pattern of spaces defines the street scene and is continued with a similar gap at 79 Archery Grove opposite and at the junction with St Anne's Road to the rear. Additionally it is considered that the proposed extension is poorly designed as it is bulky in its appearance and does not relate to the proportions of the existing dwelling. As such the proposed development is contrary to policies SDP1, SDP7, SDP9 and H7 of the adopted City of Southampton Local Plan Review (2006) and the relevant sections of the Council's approved Residential Design Guide SPD (2006).

**2. Highway Safety**

The proposal to provide additional car parking spaces, would due to the proximity to the junction have an adverse impact on the highway safety as it would result in conflict between pedestrians and vehicle users. Therefore, this would be detrimental to the safety and convenience of users of the adjoining highway. The development would therefore prove contrary to the provisions of Policy SDP1 and TI2 of the City of Southampton Local Plan Review as supported by the relevant sections of the Council's approved Residential Design Guide SPD (2006).

As set out above a similar application 13/01723/FUL was refused at Panel on 14<sup>th</sup> January 2014:

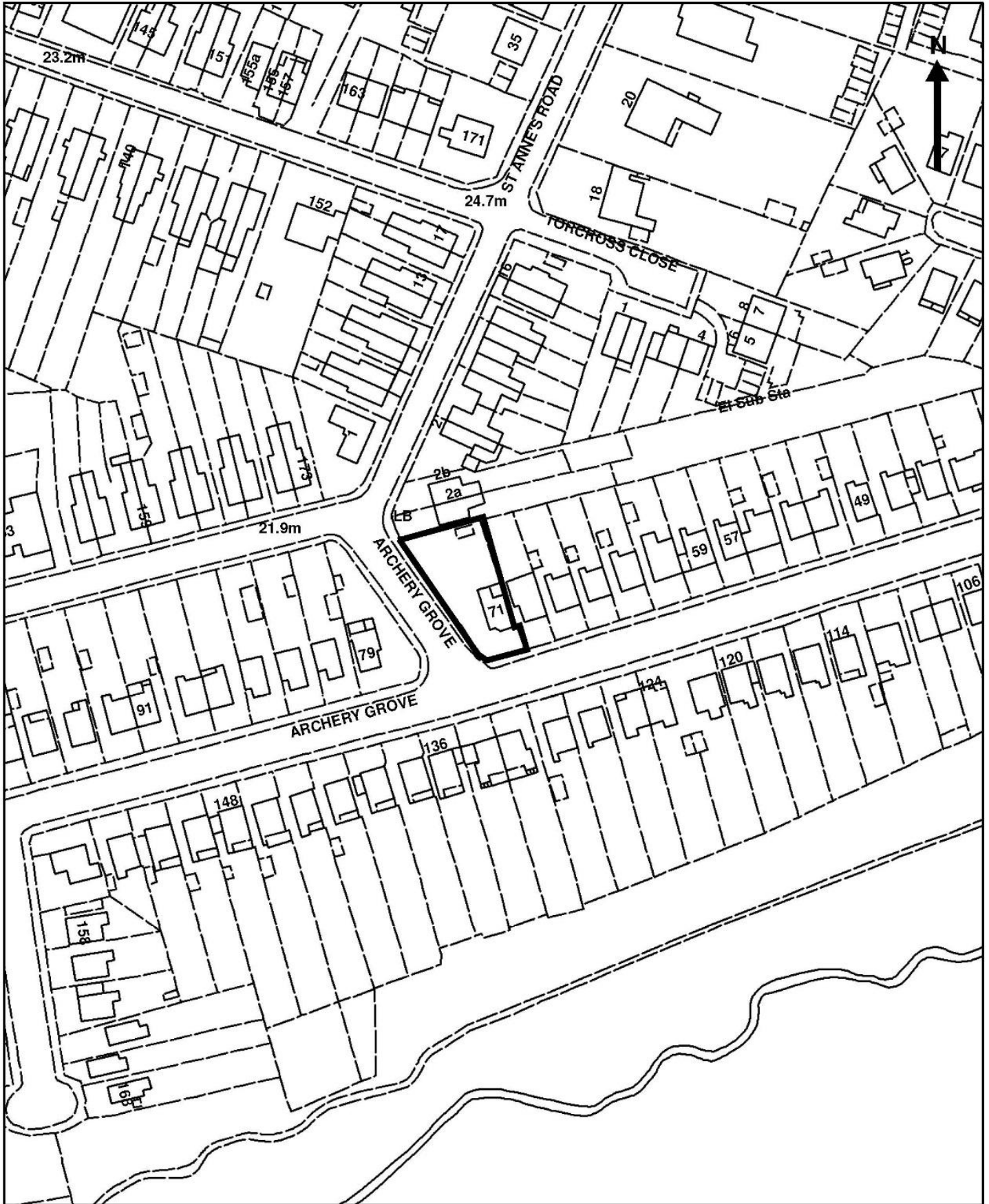
**1. REFUSAL REASON - Residential environment**

*The proposed extension to provide two additional residential units by reason of its physical appearance in terms of its bulk, mass and footprint results in an overdevelopment of the site that is harmful to the general character of the area due to its prominence in the street scene. Furthermore, the subdivision of the plot to provide additional units fails to provide sufficient, usable and adequate amenity space for the existing 3 bed family unit on site. As such the proposal creates an unacceptable residential environment contrary to Policies*



*CS13 and CS16 of the Southampton Core Strategy (2010), SDP1 (Saved Policy) of the Southampton Local Plan Review (2006) and Section 2 and Section 4.4 of the Council's 'Residential Design Guide' Supplementary Planning Document (2006).*

# 15/00070/FUL



Scale: 1:1,250

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